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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,474	01/12/2001	Philipp H. Schmid	M61.12-0321	1733

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EXAMINER
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OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/759,474

Applicant(s)

SCHMID ET AL.

Examiner

Michael N. Opsasnick

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-14 and 16-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8,10-14,16-18,20,22-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573).

As per claims 1,13,30, Brown et al (6587822) teaches a speech recognition interface for a speech recognition engine (as speech recognition interface for web based applications – abstract) comprising:

“a compiler.....markup language” as using compiled grammar (col. 3 lines 1-10) in a HTML environment (col. 13 lines 43-51);

“a grammar engine.....recognition engine” as constructing a dialog system (col. 14 lines 17-21).

Within the quoted claim elements above in claims 1,13, and 30, Brown et al (6587822) does not explicitly teach the plurality of markup language elements containing

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start and end tags, however, Ladd et al (6470317) teaches the use of start and end tags in a markup language setup applied to the grammars (col. 16 lines 29-40). Therefore, it would have been obvious to one of ordinary skill in the art of grammar constructions at the time the invention was made to modify the grammar constructions of Brown et al (6587822) with start and end tags because it would allow the program to continue based on the user's response, which would enable faster program execution. (Ladd et al (6470317), col. 17 lines 20-34).

Although the combination of Brown et al (6587822) in view of Ladd et al (6470317) teaches start and end tags as noted above, and subtag structures with the grammar (Brown et al (6587822), col. 13 line 25 – col. 14 line 64), the combination of Brown et al (6587822) in view of Ladd et al (6470317) does not teach delimiting the grammar structure via rule tags, and namely, name attribute based rule tags. However, Parks (6038573) teaches name attribute based rule tags (col. 7 lines 9-25) used to delimit/mark the grammar (col. 17 lines 4-14). Therefore, it would have been obvious to one of ordinary skill in the art of delimited grammar structures to modify the combination of Brown et al (6587822) in view of Ladd et al (6470317) with delimited grammar structure based on name attributable rule tags because it would advantageously allow for the linking of information, using the tags, especially for document sharing (col. 3 lines 8-27).

As per claim 2, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573) teaches markup language grammar as an extensible markup language (Brown et al (6587822), col. 3 lines 40-52).

As per claim 3, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573) teaches context free grammar (Brown et al (6587822), Col. 12 lines 33-39).

As per claims 4,22,27,29,32, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573) teaches switch able grammar tags (Brown et al (6587822), col. 13 lines 53-62; col. 14 lines 44-50).

As per claims 5,6,14,16,23,28,31, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573) teaches dictation tags to switch grammars, during recognition of phrases (Brown et al (6587822), between email and voice –col. 14 lines 30-50).

As per claims 7,8,18,25,24,29,33-40 the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573) teaches text buffer tags for sub-sequence of words (as using a semantic parser to recognize key phrases and the interpreting the phrase -- Brown et al (6587822), col. 13 lines 18-36).

As per claims 10-12,17,41-42 the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573) teaches the use of rule tags/script tags to limit the grammar structure to be used by the speech recognition engine

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(as sub-tags structures for word recognition → Brown et al (6587822), col. 13 line 25 – col. 14 line 64).

3. Claims 19,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573) in further view of Martin (5642519).

As per claims 19,21, the combination of Brown et al (6587822) in view of Ladd et al (6470317) in further view of Parks (6038573) teaches the claim scope of depended upon claims 13 and 17, as noted above, however, the combination does not explicitly teach semantic based selections via rule tags. Martin (5642519) teaches semantics determined by rule tags (col. 17 lines 52-65, col. 15 lines 33-50, col. 18 lines 10-20). Therefore, it would have been obvious to one of ordinary skill in the art of speech grammars for recognition to modify the teachings of the combination of Brown et al (6587822) in view of Ladd et al (6470317) with p.o.s., dictation tags, and sequence of words based tags because it would improve recognition rates with distinct languages (Martin (5642519), col. 3 lines 29-36).

#### ***Response to Arguments***

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Examiner notes that the Parks reference has been

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introduced to address the limitations of the name attributable rule tags to delimit the grammar structures.

### *Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Wayne Young, can be reached at (571)272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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